



COMMONWEALTH of VIRGINIA

Office of the Attorney General

Mark R. Herring
Attorney General

202 North 9th Street
Richmond, Virginia 23219
804-786-2071
FAX 804-786-1991
Virginia Relay Services
800-828-1120

MEMORANDUM

TO: M. Norman Oliver, MD, MA
Commissioner
Virginia Department of Health

FROM: Vanessa C. MacLeod
Assistant Attorney General

DATE: September 13, 2021

SUBJECT: *Regulations for the Licensure of Nursing Facilities, 12VAC 5-371*

I have reviewed the amendments to *Regulations for the Licensure of Nursing Facilities, 12 VAC 5-371*, which were approved by the Commissioner on September 6, 2021. This action is exempt from the operation of the Administrative Process Act and review by the Executive Branch under Virginia Code § 2.2-4006(A)(4)(a).

The Board of Health has the statutory authority to amend and adopt these Regulations under Virginia Code § 32.1-12. The Commissioner has the statutory authority to adopt these amendments on behalf of the State Board of Health when it is not in session under Virginia Code § 32.1-20. The proposed Regulations are constitutional and do not conflict with existing federal or state laws or regulations.